

Appl. No.: 09/709,772
Amdt. dated: March 1, 2006
Reply to Office Action of September 1, 2005

REMARKS

Upon entry of the instant amendment, claims 1-3, 7 and 8 are pending. Claim 1 has been amended to more particularly point out the applicant's invention. Claim 8 has been added. It is respectfully submitted that upon entry of the instant amendment and consideration of the remarks below, the application is in condition for allowance.

CLAIM REJECTIONS - 35 U.S.C. § 103

Claims 1-3 and 7 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Janik, U.S. Patent Application Publication No. US 2005/0113946, in view of Margulis, U.S. Patent No. 6,263,503. It is respectfully submitted that the Janik reference is not prior art. In particular, the present application is a continuation-in-part of commonly-owned U.S. Patent Application No. 09/649,981, filed on August 29, 2000, which claims the benefit of U.S. Provisional Patent Application No. 60/151,714, filed on August 31, 1999. It is respectfully submitted that the pending claims are supported by the parent application as well as the provisional application. As such, the effective filing date of the present application is August 31, 1999. The Janik application claims the benefit of a provisional application no. 60/230,530, filed on September 1, 2000. As such, the earliest effective date for the Janik application is September 1, 2000. Based on the above, it is respectfully submitted that the Janik application is not prior art within the meaning of 35 U.S.C. § 102. It is respectfully submitted that the Margulis patent does not disclose or suggest a system as recited in the claims at issue. In particular, the Margulis

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patent was cited for disclosing a repeater. Based on the above, the Examiner is respectfully requested to reconsider and withdraw the rejections of claims 1-3 and 7 and provide favorable consideration of claim 8.

Respectfully submitted,

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Date: 3-1-06

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